



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,655	10/02/2001	Igor A. Shmulevich	VIGN1330-1	5246
44654	7590	12/07/2005	EXAMINER	
SPRINKLE IP LAW GROUP 1301 W. 25TH STREET SUITE 408 AUSTIN, TX 78705				PATEL, ASHOKKUMAR B
		ART UNIT		PAPER NUMBER
				2154

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/682,655	SHMULEVICH ET AL.
	Examiner Ashok B. Patel	Art Unit 2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 21 September 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-24 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

1. Claims 1-24 are subject to examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/21/2005 has been entered.

Response to Arguments

3. Applicant's arguments filed 09/21/2005 have been fully considered but they are not persuasive for the following facts presented by Fitzsimons.

Applicant's argument:

"Applicant respectfully submits that Fitzsimons does not teach or suggest the claimed limitations as asserted by the Examiner. Specifically, Fitzsimons does not teach or suggest generating a plurality of templates, a master template which generates a plurality of templates or transforming non-display-formatted data into display-formatted data."

"More particularly, although Fitzsimons uses the term "master templates", Fitzsimons does not teach or suggest the limitation of a master template which contains information corresponding to markup languages and presentation capabilities of a plurality of device type, and which is adapted to create a plurality of service templates

using the master template, each of which is configured to convert the service data into markup language data adapted to be displayed on a corresponding type of device.”

“Additionally, Fitzsimons uses pre-generated templates tailored to specific user output devices and transformation filters to convert display-formatted data from one display format to a different display format. Therefore, neither Fitzsimons nor the apparatus, method and system of Fitzsimons discloses providing a master template wherein the master template contains information corresponding to markup languages and presentation capabilities of a plurality of device types or creating of a plurality of service templates, each of which is configured to convert the service data from a non-displayable format into markup language data adapted to be displayed on a corresponding type of device as recited by Claim 1.”

“Furthermore, Fitzsimons does not teach or suggest generating a plurality of templates.”

“Moreover, Fitzsimons does not teach or suggest generating a plurality of templates from a master template.”

“In addition, Fitzsimons does not teach or suggest transforming non-display-formatted data into formatted data.”

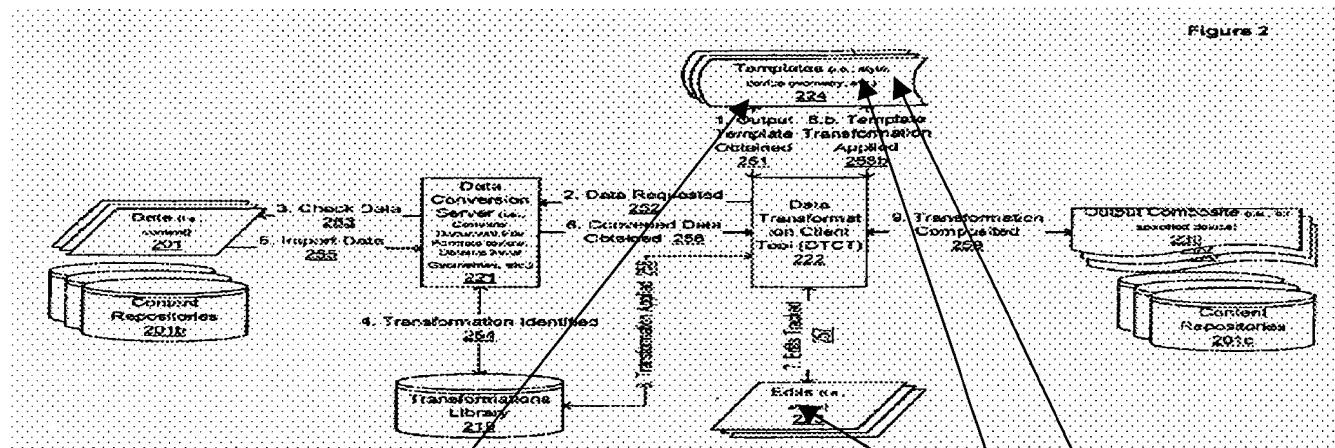
”Consequently, as Fitzsimons teaches transforming data in one display format to data in a different display format using pre-generated templates, Fitzsimons does not disclose a plurality of templates, comprising providing service data corresponding to a selected service, providing a master template wherein the master template contains information corresponding to markup languages and presentation capabilities of a

plurality of device types or creating a plurality of service templates using the master template, each of which is configured to convert the service data from a non-displayable format into markup language data adapted to be displayed on a corresponding type of device as recited by Claim 1.”

Examiner's response:

Examiner would like to present the teachings of Fitzsimons as stated by Fitzsimons in the following manner in relation to the limitations of claim 1 and also provide the responses to the arguments presented by the Applicant in the process.

Fitzsimons illustrates its Fig. 2 and its description that related to the limitation of claim 1 in para. [0073]-[0078].



Para.[0073], "FIG. 2 illustrates one non-limiting example overview data-flow diagram of a data transformation system. Initially a Data Transformation Client Tool (DTCT) 222 is loaded into memory on a client machine and executed. The DTCT allows a user to request the transformation of a data collection from one viewing format into another. It is important to note that user requests and interaction are not only limited to human users interacting through user input devices, but may also be system prompted activities, such as, but not limited to cron jobs, system generated signals, and/or the like. This transformation is accomplished by first obtaining a template to view desired data. This template may be obtained 251 by requesting it from a templates collection 224, such as those stored in a transformations library 219 in an output templates 119c table, and/or the like."

Para. [0078], "Any editing of the page elements or data flowed within the data sets may be tracked 257 as edit states 223. Editing may be accomplished as discussed in co-pending US Patent Application entitled "Method of Constructing a Composite Image" filed on Aug. 17, 2001 in the name of E. Michael Fitzsimons, Brian G. Fitzsimons, and Erik Richard Langenbach, and FIG. 3. In one non-limiting example embodiment, the current data structure containing the current template view is simply pushed onto a stack in whole as editing is initiated. Upon each successive edit, another version of the now edited live data structure is pushed onto this stack to create a stack of edit states 223, which may be then applied and/or saved to this particular template view, or to an entire collection of template views. A singular template with a particular arrangement of page elements and geometry may be used to provide a uniform output view for varying data sources 201. The template is specified with a specific output device. However, there may be master templates that have elements common to several individual templates for various and disparate output devices, i.e., template collections. Edits may be made to apply to individual templates and to entire template collections as will be discussed in further detail in FIG. 3.

(Fitzsimons does teach the claimed limitations as asserted by the Examiner. Specifically, Fitzsimons does teach generating a plurality of templates, a master template which generates a plurality of templates)

Now in addition, with respect to the above Fig.2, further in Para. [0077] Fitzsimons goes on disclosing "Page element tags simply identify data types such as XML tags. Upon converting the initial data set, the DCT provides the converted data 256 to the DTCT 222. The DTCT flows the converted data into its current template and page elements by matching tags from the converted data to those of page elements in the current template, or by being directed either automatically or into user selected page elements (as will be discussed in greater detail in FIG. 3.)" (Thus Fitzsimons does teach the limitation of a master template which contains information corresponding to markup languages and presentation capabilities of a plurality of device type, and which is adapted to create a plurality of service templates using the master template, each of which is configured to convert the service data into markup language data adapted to be displayed on a corresponding type of device)

Para. [0079], "Upon having flowed 256 and/or editing 257 the desired data into a template the DTCT may save, transform, and/or otherwise composite 259 these items into a final output document 230. The DTCT can use the current template view and data and apply transformations 119a, 258 using the transformation library 219. A user informs the DTCT of a desired device/format to which they wish to convert the current template and data. In one non-limiting example embodiment, this may be accomplished by querying the transformations database 219 of all known output templates/devices 119c and building a selection list from which the user may select a desired output device. Upon the user selecting an output template/device, the output device template is loaded and the current template's data is transformed 258b into the now loaded output device template and re-flowed. The re-flowing and resizing of page elements may be based by a format transformation table 119a, FIG. 5, FIG. 6. (each of which is configured to convert the service data from a non-displayable format into markup language data adapted to be displayed on a corresponding type of device as recited by Claim 1.)

Applicant's clarification of the invention:

"Thus, in embodiments of this invention, the claimed master template is not intended to directly convert non-display-formatted data to a particular markup language. It is instead intended to provide building blocks from which the individual templates can be constructed and these individual templates may be used to convert the non-display-formatted data into formatted data. (Specification - paragraph (0040)). The claimed

master template may contain building blocks designed to assist in displaying data according to a particular style for a plurality of device types."

Facts presented by the reference Fitzsimons in response to Applicant's clarification of the invention:

Para.[0078]," A singular template with a particular arrangement of page elements and geometry may be used to provide a uniform output view for varying data sources 201. The template is specified with a specific output device. However, there may be master templates that have elements common to several individual templates for various and disparate output devices, i.e., template collections. Edits may be made to apply to individual templates and to entire template collections as will be discussed in further detail in FIG. 3.", and para.[0077],"Upon converting the initial data set, the DCT provides the converted data 256 to the DTCT 222. The DTCT flows the converted data into its current template and page elements by matching tags from the converted data to those of page elements in the current template, or by being directed either automatically or into user selected page elements (as will be discussed in greater detail in FIG. 3). (master template is not intended to directly convert non-display-formatted data to a particular markup language. It is instead intended to provide building blocks from which the individual templates can be constructed and these individual templates may be used to convert the non-display-formatted data into formatted data. (Specification - paragraph (0040)).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Fitzsimons et al. (hereinafter Fitzsimons)(US Pub. No. US 2004/0205452 A1).

Referring to claim 1,

The reference teaches a method for generating a plurality of templates for the conversion of unformatted data to markup language files (page 2, para. [000019], [0020]) comprising:

providing service data corresponding to a selected service (page 7, para.[0073]);

providing a master template wherein the master template contains information corresponding to markup languages and presentation capabilities of a plurality of device types(page 7, para.[0073]," In one non-limiting example, the templates are in XML format and include style sheet and transformation information, which is rasterized and interpreted."); and

creating a plurality of service templates using the master template, each of which is configured to convert the service data from a non-displayable format into markup language data adapted to be displayed on a corresponding type of device (page 8,

para.[0078]," A singular template with a particular arrangement of page elements and geometry may be used to provide a uniform output view for varying data sources 201. The template is specified with a specific output device. However, there may be master templates that have elements common to several individual templates for various and disparate output devices, i.e., template collections.")

Referring to claim 2,

The reference teaches the method of claim 1 further comprising automatically generating the plurality of service templates. (page 2, para. [0019],[0020])

Referring to claims 3 and 4,

The reference teaches the method of claim 1 further comprising querying a user for one or more labels corresponding to portions of the service data, and further comprising providing the user with one or more default labels, wherein the default labels comprise the tag names for the corresponding data in the service data. (page 9, para.[0092], "In an alternative embodiment, the user may change the page element tags. Each page element may have a tag. This facilitates compositing data, such as but not limited to, properly tagged XML data into XML style sheet and/or template views of data.

Furthermore, page elements may have custom attributes and tags associated that all may be varied. Variation of such attributes may be accessed, edited, and affected through a dialogue box. The attributes for each page element would be read from current data filled template into the dialogue box where they may be edited, and upon engaging a mechanism to accept the changes, e.g., and "OK" button widget, the changes would be affected into the data structure embodying the current data filled

template. Upon effecting an edit of the data 313, flow cycles back to examining if the user has engaged/selected any facilities 301.”)

Referring to claim 5,

The reference teaches the method of claim 1 wherein the master template comprises a plurality of blocks of data, wherein each of the blocks of data provides information for converting a selected portion of the service data into a markup language data adapted to be displayed on a selected type of device. (page 2, para.[000019], [0020], page 8, para.[0078])

Referring to claim 6,

The reference teaches the method of claim 1 further comprising querying a user as to whether one or more portions of the service data will be included in the templates. (page 9, para.[0094])

Referring to claims 7 and 9,

The reference teaches the method of claim 1 wherein providing the service data comprises providing XML data., and 1 wherein one of the formats adapted to be displayed on the corresponding types of devices comprises XML. (page 7, para.[0073])

Referring to claim 8,

The reference teaches the method of claim 1 wherein the formats adapted to be displayed on the corresponding types of devices include one or more HTML formats and one or more WML formats. (page 10, para.[0099],” A device file may comprise basic geometry (e.g., output size dimensions, resolution density, color capability, and/or

the like), tags, and attributes associated with a particular device. Devices may include PDAs, WAP enabled devices such as cell phones, web pages, print, and/or the like.”)

Referring to claim 10,

The reference teaches a method comprising: providing service data in a first format; for at least a portion of the data, examining the service data to identify name-value pairs(page 2, para.[0019],[0020], and page 7, para.[0073]); providing a master template containing presentation format information for converting each name-value pair into a plurality of alternate formats, each of which is adapted to be displayed on one of a plurality of client devices (page 8, para.0078],”],” A singular template with a particular arrangement of page elements and geometry may be used to provide a uniform output view for varying data sources 201. The template is specified with a specific output device. However, there may be master templates that have elements common to several individual templates for various and disparate output devices, i.e., template collections.”); and constructing a plurality of service templates from the presentation format information, wherein each service template is configured to convert the portion of the service data into one of the alternate formats. (page 7, para.[0073])

Referring to claims 11, 12 and 13,

The reference teaches the method of claim 10 further comprising querying a user for a label for each name-value pair, and wherein querying the user for the label for each name-value pair comprises presenting the user with a default label and querying the user to either accept the default label or provide an alternate label, and wherein the

default label comprises an XML tag that forms the name in the name-value pair. (page 9, para.[0092], "In an alternative embodiment, the user may change the page element tags. Each page element may have a tag. This facilitates compositing data, such as but not limited to, properly tagged XML data into XML style sheet and/or template views of data. Furthermore, page elements may have custom attributes and tags associated that all may be varied. Variation of such attributes may be accessed, edited, and affected through a dialogue box. The attributes for each page element would be read from current data filled template into the dialogue box where they may be edited, and upon engaging a mechanism to accept the changes, e.g., and "OK" button widget, the changes would be affected into the data structure embodying the current data filled template. Upon effecting an edit of the data 313, flow cycles back to examining if the user has engaged/selected any facilities 301.")

Referring to claim 14,

The reference teaches the method of claim 10 wherein the master template comprises an XML application. (page 7, para.[0073],[0074],[0076], page 8, para.[0078])

Referring to claims 15 and 16,

The reference teaches the method of claim 10 wherein the plurality of device templates are configured to convert the service data into a plurality of distinct markup language files, and wherein the plurality of distinct markup language files comprise at least one form of HTML and at least one form of WML. (page 10, para.[0099]," A device file may comprise basic geometry (e.g., output size dimensions, resolution density, color capability, and/or the like), tags, and attributes associated with a particular device.

Devices may include PDAs, WAP enabled devices such as cell phones, web pages, print, and/or the like.”)

Referring to claim 17,

The reference teaches the method of claim 10 wherein the first format comprises XML (page 7, para.[0073]).

Referring to claim 18,

The reference teaches the method of claim 10 wherein the first format comprises a native database format. (pages 7 and 8, para.[0076])

Referring to claim 19,

Claim 19 is a claim to a computer-readable medium containing a plurality of instructions, wherein the instructions are configured to cause a computer to perform the method of claim 1. Therefore claim 19 is rejected for the reasons set forth for claim 1.

Referring to claim 20,

Claim 20 is a claim to a computer-readable medium containing a plurality of instructions, wherein the instructions are configured to cause a computer to perform the method of claim 2. Therefore claim 20 is rejected for the reasons set forth for claim 2.

Referring to claim 21,

Claim 21 is a claim to a computer-readable medium containing a plurality of instructions, wherein the instructions are configured to cause a computer to perform the method of claims 4 and 6. Therefore claim 21 is rejected for the reasons set forth for claims 4,5 and 6.

Referring to claim 22,

The reference teaches a method for generating templates suitable for adapting data to a format, comprising

analyzing data pertaining to a service)page 2, para.[0019],[0020], page 7, [0073]); generating a plurality of templates using a master template, wherein the master template defines a style for the presentation of the data on a plurality of devices or classes of device and each template is configured to adapt the data for display on a device or class of device (page 7, para.[0073], page 8, para.[0078],]," A singular template with a particular arrangement of page elements and geometry may be used to provide a uniform output view for varying data sources 201. The template is specified with a specific output device. However, there may be master templates that have elements common to several individual templates for various and disparate output devices, i.e., template collections.")

Referring to claims 23 and 24,

The reference teaches the method of claim 22, wherein the master template comprises a plurality of blocks, each of the blocks providing information for converting a portion of the data into data adapted to be displayed on a device or class of device, and wherein each template is generated using one or more blocks corresponding to the device or class of device for which the template is configured to adapt the data. (page 2, para.[000019], [0020], page 8, para.[0078])

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the

references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JENNIFER POLLOCK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100